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TECHNOLOGY CENTER R3700

ATTORNEY DOCKET NO.: 051252-5016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Michael A. FISCHER)
)
Application No.: 09/292,152)
)
Filed: April 15, 1999)
)
For: EARLY SUPPRESSION FAST RESPONSE)
FIRE PROTECTION SPRINKLER)

Confirmation No.: 3148

Group Art Unit: 3752

Examiner: D. Nguyen

#26/RCE
12/4/03
D. Brewer

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered).
 - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ☐ Other: _____
- ☒ Enclosed:
- ☐ Supplemental Reply
 - ☒ Preliminary Amendment
 - ☐ Information Disclosure Statement
 - ☐ PTO Form 1449 with one reference attached

11/26/2003 HDEMESS1 00000098 500310 09292152

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2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: _____.

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$770.00

☐ \$385.00 (for small entity)

(b) Extension of Time

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

| Total Months Requested | Fee for Extension | Fee for Small Entity |
|---|----------------------|-------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$740.00 |
| <input checked="" type="checkbox"/> five months | \$2,010.00 | \$1,005.00 |

The extension of time fee for this request: \$2,010.00.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

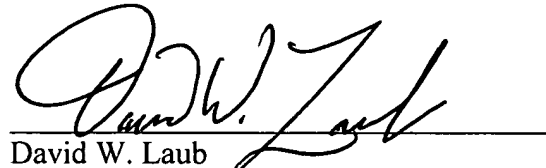
- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of **\$2,780.00** representing \$2,010.00 for the five-month extension of time fee and \$770.00 for the RCE filing fee.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: November 24, 2003

By:


David W. Laub
Reg. No. 38,708

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